

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RONALD D. WHITT and
WHITT FAMILY INTERESTS, INC.,

Plaintiffs,

v.

Case No. 04-C-1066

RACE GLAZE, L.L.C.,
CHEMRITE INDUSTRIES, L.L.C.,
SHAUN P. GALLAGHER,
CHEMRITE HOLDING COMPANY, L.L.C.,
19725 W. EDGEWOOD DR., L.L.C., and
7424 CIRCLE DR., L.L.C.,

Defendants.

**AMENDED
OPINION AND ORDER**

Having granted partial summary judgment in favor of Plaintiff Whitt Family Interests, Inc., on its claim for payment of a promissory note and in conformity with the Order entered on June 2, 2005, the court **ORDERS** that the Clerk of Court shall enter a partial judgment pursuant to Federal Rule of Civil Procedure 54(b) as a separate document. The partial judgment entered on June 8, 2005, was inaccurate and is, therefore, **VACATED**. This amended judgment shall provide that:

This action brought by Plaintiffs Ronald D. Whitt and Whitt Family Interests, Inc., against Defendants Race Glaze, L.L.C., Chemrite Industries, L.L.C., Shaun P. Gallagher, Chemrite Holding Company, L.L.C., 19725 W. Edgewood Dr., L.L.C., and 7424 Circle Dr., L.L.C., came on for hearing before the court, the Honorable Thomas J. Curran, District Judge, presiding, and the court having granted partial summary judgment in favor of the Plaintiff Whitt Family Interests, Inc.

IT IS ORDERED AND ADJUDGED that Plaintiff Whitt Family Interests, Inc., recover of Defendants Race Glaze, L.L.C., Chemrite Industries, L.L.C., and Chemrite Holding Company, L.L.C., the sum of Three Million Dollars (\$3,000,000.00) principal and Two Million Fifty Six Thousand Five Hundred Sixty and 16/100 (\$2,056,560.16) interest as of May 16, 2005, with interest accruing at a rate of One Thousand Six Hundred Fifty Four and 63/100 Dollars (\$1,654.63) per day until the day of entry of this judgment and after entry of this judgment at the rate provided by law.

Done and Ordered in Chambers at the United States Courthouse, Milwaukee, Wisconsin, this 9th day of June, 2005.

s/Thomas J. Curran

THOMAS J. CURRAN
United States District Judge